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August 5, 2022

**SENT VIA ECF ONLY**

Magistrate Judge Steven I. Locke  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722

Re: Northwell Health, Inc. v. United Welfare Fund, et al.  
No.: 21-CV-00020 (GB)(AKT)

Dear Magistrate Judge Locke,

My office represents Defendant Empire HealthChoice Assurance, Inc. d/b/a Empire Blue Cross and Blue Shield and Empire HealthChoice HMO, Inc. (together "Empire"), in the above captioned lawsuit. I submit this Joint Discovery Status Report on behalf of the parties in advance of the Discovery Status Conference currently scheduled with Your Honor on August 8, 2022.

The parties have agreed to mediation to try to reach a resolution of this matter and have agreed to use Attorney Conna Weiner, a mediator through JAMS who specializes in healthcare care litigation. In the event that mediation is unsuccessful, the parties discussed and the Defendants have consented to Northwell filing an amended complaint (a draft of which was provided to Defendants in July, 2022), subject to Defendants reserving all rights and positions on the substance of any amendment.

The parties are working cooperatively to schedule, within the next 30 days, an initial planning session with the mediator to agree on, among other things, the date by which UWF will provide information in response to the amended claims spreadsheet Northwell provided to Defendants on June 27, 2022, potential exchange of other information to facilitate mediation, and an overall schedule for the mediation process.

Accordingly, the parties respectively ask the Court to vacate the August 8, 2022 status conference and direct the parties to submit a further status report in 30 days. Thank you for your time and attention to this matter.

Respectfully submitted,

/s/ Briana L. Black  
Briana L. Black

cc via ECF: all counsel of record